

**REMARKS**

This Application has been carefully reviewed in light of the Office Action dated March 20, 2009 ("*Office Action*"). At the time of the *Office Action*, Claims 1-18, 20, 22, 24, 26, 28, 30, and 32 were pending and rejected. Claims 19, 21, 23, 25, 27, 29, and 31 were previously canceled. Applicants respectfully request reconsideration and allowance of all pending claims.

**Procedural History**

In the previous Responses to Office Action submitted on January 7, 2009, Applicants amended independent Claims 1, 9, and 14-17 to incorporate certain features formerly recited in dependent Claims 21, 23, 25, 27, 29, and 31, which were then cancelled. Applicants argued that the proposed *Khan-Arcuri-Gvily* combination did not disclose, teach, or suggest the claim elements incorporated into the independent claims by amendment.

In this *Office Action*, the Examiner acknowledges the amendments to Claims 1, 9, and 14-17 and the cancellation of Claims 21, 23, 25, 27, 29, and 31. (*Office Action*, page 2). However, in the Examiner's substantive rejection of the claims, the Examiner does not cite any reference as disclosing the amended claim language. For example, with regard to Claim 1, the Examiner identifies no reference as disclosing "using stored user instructions to determine the placement of the selected elements in the composite webpage" and "rendering the identified portion of content . . . the identified portion placed according to the user instructions." Rather, the *Office Action* merely reproduces (word-for-word) the Examiner's rejection of Applicants' Claim 1 prior to the amendments made in the Response submitted on January 7, 2009. Thus, the Examiner did not explicitly address Applicants' amended claim language. However, because the Examiner identifies *Gvily* as disclosing the claim elements recited in cancelled Claims 21 and 23, Applicants assume that the Examiner intended to reject Claim 1 using the same rationale as applied to Claims 21 and 23. Applicants request that the Examiner confirm that this was the Examiner's intention.

More importantly, Applicants respectfully note that the Examiner has failed to respond to Applicants' arguments as presented in the Response to Office Action filed on January 7, 2009. Specifically, the Examiner has failed to address Applicants' arguments with respect to the proposed *Khan-Arcuri-Gvily* combination's failure to disclose, teach, or suggest "using stored user instructions to determine the placement of the selected elements in

the composite webpage” and “rendering the identified portion of content . . . the identified portion placed according to the user instructions,” as recited in independent Claim 1 and analogously recited in independent Claims 14, 15, 16, and 17. These arguments were presented on pages 13-16 of the Response to Office Action filed on January 7, 2009, but have not been responded to in the current *Office Action*. Rather, in the current *Office Action*, the Examiner merely reproduces an exact duplicate of the Examiner’s Response to Arguments section of the previous Office Action mailed October 8, 2008. Thus, the Response to Arguments in the current *Office Action* addresses Applicants’ arguments made in the Response submitted on July 3, 2008, but does not address Applicants’ arguments made in the Response to Office Action filed on January 7, 2009.

Section 707.07(f) of the M.P.E.P. requires an Examiner to answer all material traversed by an Applicants. Specifically, that provision states:

Where the requirements are traversed, or suspension thereof requested, the examiner should make proper reference thereto in his or her action on the amendment.

Where the applicant traverses any rejection, the examiner should if he or she repeats the rejection, take note of the applicant’s argument and answer the substance of it.

(M.P.E.P. § 707.07(f)). Because the Examiner has failed to respond to Applicants’ arguments disputing that the proposed *Khan-Arcuri-Gvily* combination discloses, teaches, or suggests “using stored user instructions to determine the placement of the selected elements in the composite webpage” and “rendering the identified portion of content . . . the identified portion placed according to the user instructions,” as recited in independent Claim 1 and analogously recited in independent Claims 14, 15, 16, and 17, Applicants respectfully submit that the *Office Action* dated March 20, 2009 is deficient on its face. Furthermore, because Applicants believe that Applicants’ arguments relating the failure of the proposed *Khan-Arcuri-Gvily* combination continue to have merit, Applicants reiterate the previous arguments below.

**Section 103 Rejections**

The Examiner rejects Claims 1-18, 20, 22, 24, 26, 28, 30, and 32 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0018078 A1 to Khan et al. ("*Khan*"), U.S. Patent No. 6,792,475 B1 to Arcuri et al. ("*Arcuri*") and U.S. Patent No. 7,085,994 B2 issued to Gvily ("*Gvily*"). For at least the following reasons, Applicants respectfully request reconsideration and allowance of Claims 1-18, 20, 22, 24, 26, 28, and 30.

**A. Claims 1-8, 14-18, 20, 22, 24, 26, 28, and 30**

Independent Claim 1 of the present Application, as amended, recites *inter alia*:

using stored user instructions to determine the placement of the selected elements in the composite webpage; and  
rendering the identified portion of content corresponding to the at least one HTML tag to form the composite web page, the identified portion placed according to the user instructions.

Claims 14, 15, 16, and 17 recite certain analogous limitations. It continues to be Applicants' position that this combination of features is not disclosed, taught, or suggested in the prior art of record.

In the *Office Action* (and with respect to cancelled Claims 21 and 23), the Examiner relies upon *Gvily*, specifically, for disclosure of the recited claim elements. (*Office Action*, page 21). However, the cited portion of *Gvily* discloses only that "[o]nce the user confirms his selection, it is translated into a query that uniquely identifies the snippet 904." (*Gvily*, Column 9, lines 28-29). The query, which comprises "the URL of the page 420 being viewed and additional information to identify the logical unit selected within that page 420," is sent "to a portal server 416 that stores the query as a new snippet (for that particular user, for any other user or for none at all) in its user information database 424." (*Gvily*, Column 9, lines 29-36). According to *Gvily*, "[t]he next time the user requests the user's custom portal page 422, the user is presented with a page 422 containing the newly selected snippet 904, as illustrated by Fig. 9." (*Gvily*, Column 9, lines 36-39). Thus, *Gvily* only discloses that the selected snippet is stored as a user selection in the user information database and that the snippet can then be presented to the user when requested. There is no disclosure in *Gvily* of "using stored user instructions to determine the placement of the selected elements in the

**composite webpage**” and “rendering the identified portion of content . . . **the identified portion placed according to the user instructions**,” as recited in independent Claim 1 and analogously recited in independent Claims 14, 15, 16, and 17. There is no disclosure in *Gvily* relating to the placement of select elements within a composite webpage.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claims 1, 14, 15, 16, and 17, together with Claims 2-8 that depend on Claim 1.

**B. Claims 9-13**

Independent Claim 9 of the present Application, as amended, recites that rendering the identified portion of content to form the composite web page comprises:

using stored user instructions to determine the relative placement of the selected elements with respect to each other in the composite webpage; and

rendering the identified portion of content corresponding to the at least one HTML tag to form the composite web page, the identified portion placed relative to other selected elements according to the user instructions.

It is Applicants’ position that this combination of features is not disclosed, taught, or suggested in the prior art of record.

In the *Office Action* (and with respect to cancelled Claims 21 and 23), the Examiner relies upon *Gvily*, specifically, for disclosure of the recited claim elements. (*Office Action*, page 21). However, the cited portion of *Gvily* discloses only that “[o]nce the user confirms his selection, it is translated into a query that uniquely identifies the snippet 904.” (*Gvily*, Column 9, lines 28-29). The query, which comprises “the URL of the page 420 being viewed and additional information to identify the logical unit selected within that page 420,” is sent “to a portal server 416 that stores the query as a new snippet (for that particular user, for any other user or for none at all) in its user information database 424.” (*Gvily*, Column 9, lines 29-36). According to *Gvily*, “[t]he next time the user requests the user’s custom portal page 422, the user is presented with a page 422 containing the newly selected snippet 904, as illustrated by Fig. 9.” (*Gvily*, Column 9, lines 36-39). Thus, *Gvily* only discloses that the selected snippet is stored as a user selection in the user information database and that the

snippet can then be presented to the user when requested. There is no disclosure in *Gvily* of “using stored user instructions to determine the **relative placement of the selected elements with respect to each other in the composite webpage**” and “rendering the identified portion of content . . . the identified portion **placed relative to other selected elements according to the user instructions**,” as recited in independent Claim 9.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 9, together with Claims 10-13 that depend on Claim 9.

**No Waiver**

All of Applicants’ arguments and amendments are without prejudice and disclaimer. Additionally, Applicants have merely discussed example reasons for allowability sufficient to overcome the Examiner’s rejections. Applicants reserve the right to discuss additional reasons for allowance, such as additional distinctions over the references cited, the improper combination of the cited references, or the improper use of one or more references as prior art, in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner’s additional statements.

**CONCLUSION**


Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner believes that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Jenni R. Moen, Attorney for Applicants, at the Examiner's convenience at (214) 415-4820.

Applicants believe no fees are due; however, the Commissioner is hereby authorized to charge any fees or credits to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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Date: June 15, 2009

CORRESPONDENCE ADDRESS:

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